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22May09

PATENT APPLICATION MAY 22 2009

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Josef BADER
Serial no.	:	10/591,028
Confirmation No.	:	
Filed	:	with an effective filing date of February 8, 2005
For	:	DEVICE FOR PREVENTING WOBBLING OF THE PICK-UP GEARS IN A GEARBOX WITH TWO LAYSHAFTS
Group Art Unit	:	3655
Examiner	:	Ha Dinh HO
Docket	:	ZAHFRI P885US

The Commissioner for Patents  
U.S. Patent & Trademark Office  
P. O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONSIDERATION OF  
TIMELY FILED INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Upon reviewing this application, it has come to the attention of the undersigned that all of the prior art which was timely and properly made of record in this case has not been substantively considered by the Examiner. Specifically, the Applicant prepared and timely filed an Information Disclosure Statement, along with PTO/SB/08a/08b and copies of the necessary citations (a copy of the returned postcard, the submitted Statement and PTO/SB/08A/08b is attached, if copies of the citations are again required, please immediately contact the undersigned). The Examiner has not confirmed to the undersigned, by signing and returning a copy of PTO/SB/08a/08b, that such references were substantively considered. Accordingly, the Applicant respectfully requests the Examiner consider the same at this time.

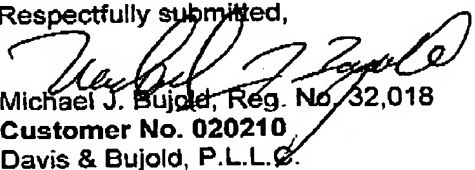
It is submitted that the allowed claims are distinguishable over all of the prior art of record, including these references which were not previously considered. However, in the event that the Examiner believes further prosecution of this application is warranted in view of this newly considered art, the Examiner is invited to withdraw this case from issue and provide the Applicant with a further action on the merits.

10/591,028

As all of this prior art was previously made of record in this case in a timely manner, it is respectfully submitted that Petition and/or an official fee is **not** necessary and the Examiner is required to substantively consider the same at this time. If any further action on the part of the Applicant is required in order for the Examiner to substantively consider this art, the Examiner is respectfully requested to contact the undersigned attorney immediately.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213):

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018

**Customer No. 020210**

Davis & Bujold, P.L.L.C.

112 Pleasant Street

Concord, NH 03301-2931

Telephone 603-226-7490

Facsimile 603-226-7499

E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)

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In re Appln. of: Josef BADER  
Serial No.: 10/591,028  
Filed: with an effective filing date of February 8, 2005  
For: DEVICE FOR PREVENTING WOBBLING OF  
THE PICK-UP GEARS IN A GEARBOX WITH  
TWO LAYSHAFTS  
Group Art Unit: 3682  
Examiner:  
Docket: ZAHFRI P885US  
RECEIVED: Transmittal;  
Information Disclosure Statement-1 pg.;  
PTO/SB/08a-1 pg.;  
German Novelty Search Report-5 pgs.;  
3 Citations  
lfb:4/09/07

4/09/07

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Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

In connection with this matter, the Applicant hereby attaches United States Patent Office Form PTO/SB/08a and copies of the information listed in the enclosed PTO/SB/08a form, unless otherwise indicated on such Form.


The concise explanation, concerning the now submitted foreign language documents, is found on the submitted German Novelty Search Report (see MPEP § 609). Also enclosed, please find an English translation of the concise explanation, i.e., the category of relevance as asserted by the German searching authority, concerning the relevance of each foreign language document.

As permitted by 37 CFR 1.98, a copy of each cited U.S. patent and/or U.S. patent application publication is not being supplied. If the United States Patent and Trademark Office requires a copy of any of the cited U.S. patent and/or U.S. patent application publication, please notify the undersigned of the same.

Please note that EP-03 61 686 A1 and JP-59-1 75 672 A1 were cited in a previously filed Information Disclosure Statement and thus are not listed on the accompanying PTO/SB/08a/b form

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018  
Customer No. 020210  
Davis Bujold & Daniels, P.L.L.C.  
112 Pleasant Street  
Concord, NH 03301-2931  
Telephone 603-226-7490  
Facsimile 603-226-7499  
E-mail: [patent@davisandbujold.com](mailto:patent@davisandbujold.com)